Philippines: US Judge Awards $13.75 Million to Marcos Victims

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Anti-Marcos activists protest in Manila in November 2018.

Luis Liwanag/BenarNews

A U.S. federal judge ordered that $13.75 million (714 million Philippine pesos) be distributed to thousands of victims of human rights abuses committed during the dictatorship of the late Ferdinand Marcos, plaintiffs' lawyers said Wednesday.

The funds are to be taken from the sale of artworks by masters that were kept by the Marcos family and were declared as ill-gotten wealth, said Robert A. Swift, lead attorney for the nearly 10,000 rights victims.

"We've been in collection mode for 23 years," Swift told BenarNews.

He said litigation began even earlier, in 1986, after President Marcos was removed from office.

The dictator was ousted by a popular revolt that year, ending his two two-decade regime, under which thousands of activists were killed or went missing while his family looted state coffers. Marcos fled to Hawaii and died there of natural causes in 1989.

“There was no hesitation by the judge in ordering the transfer of funds,” Swift also said in a statement. “Class counsel will now focus on the distribution of $1,500 (77,700 pesos) to each eligible claimant.”

Swift said the money would be distributed, starting in May in the southern Philippine city of Butuan.

“I will send eligible class members letters advising them where and when they may come to receive a check,” Swift said in the statement.

The attorney said he did not have faith in the Philippine postal system to deliver the checks because mail could get lost.

“We have set up 16 delivery locations in the Philippines,” he told BenarNews, adding that some were on southern Mindanao Island. “It will be completed by the second week of July.”

‘Found money’

On Tuesday in New York, Federal Court Judge Katherine Polk Failla directed the Philippine government to agree to the settlement and to receive $4 million (207.7 million pesos) in compensation, according to Swift.

“You might say it was found money,” Swift said of the government compensation.

On Wednesday in Manila, presidential spokesman Salvador Panelo insisted the government should have final say on the distribution of the funds. Manila’s solicitor general tried to block the settlement, stressing that any payout should be approved by the government.

“It’s the Philippine government that should decide. Do they have jurisdiction over us?” Panelo said.

Despite the government claim, Failla found that the plaintiffs’ lawyer in New York had actual and apparent authority to enter into negotiations, overruling the solicitor general’s argument, according to Swift.

The litigation in New York was initiated following the sale of the “Water Lily” painting by Claude Monet for $32 million (1.66 billion pesos) by Marcos crony Vilma Bautista.

Bautista, a former secretary of Imelda Marcos, was sentenced two years ago by a New York court to up to six years in prison for selling stolen art works and lying about it on her tax returns.

Filipino Lawyer Rod Domingo said most of the victims were poor and old and the funds mainly would go toward the purchase of medication.

“Many of the victims of the human rights abuses are dead, so the money will provide needed assistance to their families,” Domingo said in a statement.

This will be the third round of compensation from the U.S. court for the victims. Previous payments were for $1,000 (51,800 pesos) and $1,100 (57,000 pesos), respectively. Swift said the second compensation came from a $10 million (518 million pesos) settlement with a British billionaire who had purchased the Monet from Bautista.

After their exile, Marcos’ widow, Imelda, and their children were allowed to return to the Philippines where they have regained political clout.

In January 2011, a court in Hawaii held Imelda Marcos and the couple’s son, Ferdinand Marcos Jr., in contempt for refusing to furnish information and for continuing to use frozen assets of the estate. It ordered them to pay a fine of $353.6 million (18.3 billion pesos) for the victims’ benefit.

Over several years following the former dictator’s death, the Philippine government has been able to recover $683 million (35.4 billion pesos) from Swiss bank deposits.

Swift said Philippine officials have been difficult to deal with and have not been willing to accept U.S. court rulings.

“The Duterte administration has carried on the policy of a lot of Philippine administrations,” Swift told BenarNews.

“All Marcos property is their own,” he said referring to the government.

Jeoffrey Maitem in Manila and Joseph Jubelag in General Santos City, Philippines, contributed to this report.